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THE OPERATION OF THE WISCONSIN CHILD LABOR LAW¹

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All social reforms in Wisconsin begin with the inspiration of noble women. Three or four years ago we made up our minds, because the women showed us the way, that we would write upon the statute books of Wisconsin laws which would protect children, as they were not then protected; and in one session—we do not know how we did it, we are very glad that something did it through us—a compulsory education law, an improved juvenile court law, and more than all a strong child labor law, were written into the laws of Wisconsin. It was a good achievement, if I may speak for my State so frankly.

The conditions which brought about these laws in our State were not so dreadful as those described by Dr. Adler as existing in many other States. I would far rather discuss things which I have seen in South Carolina, in Georgia, of little children going to work at six o'clock on twelve-hour shifts. But we have the same conditions in Wisconsin that prevail elsewhere with respect to greed, ignorance, the hurry to be rich at all costs, the tenements inhabited often by an alien population, men and women who began work when they should have been in school, and who see no reason why their children should not work as early,—and we were forced in self defense,—in defense of our institutions, in defense of the land that was to be regenerated and purified by such work as the National Child Labor Committee stands for—to take these laws up and put them through. We had the same old law that permitted little children under fourteen to work to help support the family, and we struck that law off. We had a law which permitted little children to work on an affidavit, taken before some obscure notary public, merely an affidavit made by a parent or guardian or a little child itself, and you know what that meant.

¹Address at the Chicago session of the Annual Meeting of the National Child Labor Committee, Dec. 16, 1905.

These things were struck from the laws of Wisconsin that the fair name of our State should no longer be disgraced, and in their place we put the permit system, based on what has been pronounced by the National Factory Inspectors Association, a body of experienced men, one of the most practical tests of the age of a child applying for work, that is to be found anywhere in the United States. Those who come close to this work know that it is comparatively easy to forbid work for wages by children under fourteen; that it is comparatively easy to classify the employments in which children under sixteen can be employed; and that it is more than comparatively hard to find out how old the child is when he asks for a permit to work. I asked in South Carolina the age of the little children employed in one of the great mills. I was permitted to do so, I hardly knew why, by a hard-headed superintendent of one of the greatest mills in the South. I said to him, "How do you get at the age of these children?" "Oh," he said, "we don't pay any attention to it; their parents say they are twelve (the required age there) and we take them," I said, "May I ask them their age?" and he said, "Yes, go ahead." I said to the first child, "How old are you?" "Ten." How long have you been at work?" "About a year and a half." I said to the next one, "How old are you?" "Eleven." "How much schooling have you had?" "Never had none." And so it went on.

The question is how to get the correct age of the children. Now, under our old law permitting children to work on a mere affidavit, the people who were clothed by law with the authority occasionally took a child out of work, but it was very hard to do it. Once in a while a man would be brought up for swearing falsely to the age of his child, and he was poor generally, and the court was very well-dressed and the District Attorney had had a good dinner, and they didn't want to be hard on the poor man—we are all very merciful sometimes when we ought not to be—and the man was let go without a fine to do the same thing over again. So in this new law we wrote these requirements, that when, in the State of Wisconsin, a child applies for work, when there is any doubt, and there is doubt in a very large part of the cases, the official to whom he applies must demand a verified birth certificate, and a verified baptismal certificate if he cannot get the first,

and if he cannot get the verified baptismal certificate he must demand legal proof of age given at entering school, and then if he cannot get any of these proofs he must be satisfied by other evidence. These tests were at that time rare in child labor laws. What has been the result? It has revolutionized the system in Wisconsin, and some one thousand children were taken, in a year, out of the factories and stores where they were unlawfully employed and thousands kept from beginning work under age. These tests work. The first two can sometimes be evaded, because parents cannot produce the first two certificates, but it is increasingly hard to escape the first, and very often the school age gives the facts. When the child entered school there was less reason to misrepresent his age.

We must remember that modern tendencies, modern improvements in machinery, the outworked condition of hard working men and women made prematurely old by child labor while in your circle of life and mine they would still be young, are daily calling louder and louder for the labor of little children, and no amount of heart-breaking anxiety on that point will do. We must secure legislation and then see that the law is enforced. A good legislature with a good Governor will put through a law, but only public opinion applied steadily can have power over the officials who execute that law; without the aid of public opinion it cannot be enforced.

I am glad to say that in the State of Wisconsin we are supported in the enforcement of the child labor law by the great majority of large employers of labor. We did have our conflict with the glass works. I have heard it rumored that in other States there is conflict with the glass works. Glass works and child labor do not seem to get along very well together. But the great employers have accepted the law. They send for the factory inspectors themselves and say to them, "Go through our factory, and if any one is wrongfully employed here let us know it." But the little stores and the little businesses break the law. The first things which we must look out for are the stores on the corners employing only one or two boys or girls. And only constant energy and wide-awake interest will help solve the problem in every State as we are trying to solve it in Wisconsin. We have no perfect law. We would be glad to have the educational test and further limit of the hours of labor. But no law can go too fast and too far ahead of public opinion and be enforced.

There came a time when a great people had broken through into a promised land; they had won many battles; they had written the pages of history with glorious deeds, but it was said there was yet much land to be possessed. This is a great field. We who are laboring in it know we are building, be it ever so little, so that those who come after us may build upon our foundations, to construct more successfully strong walls of protection for the children of the future. There is much to be grateful for, and when we hear what the past ten years have done for child labor reform let us thank God and take courage.